

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE**

FILED BY  D.C.

05 JUL 26 PM 3:48

THE CHARTER OAK FIRE INS. CO., )

Plaintiff, )

v. )

BROAN NUTONE, LLC, )

Defendant. )

Civil Action No.: 05-2428-Ma/P

JULY 21, 2005

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W/D OF TN, MEMPHIS

**~~JOINT PROPOSED~~ SCHEDULING ORDER**

Pursuant to written notice, a scheduling conference was held telephonically on July 20, 2005. Participating were Brian P. Henry, counsel for the plaintiff, and Edward M. Bearman, counsel for the defendant. At the conference, the following dates were established as final dates for:

INITIAL DISCLOSURES PURSUANT TO Fed. R. Civ. P. 26(a)(1):	August 11, 2005
JOINING PARTIES:	September 30, 2005
AMENDING PLEADINGS:	September 30, 2005
INITIAL MOTIONS TO DISMISS:	October 31, 2005
COMPLETING ALL DISCOVERY:	April 30, 2006
(a) DOCUMENT PRODUCTION	April 30, 2006
(b) DEPOSITIONS, INTERROGATORIES, AND REQUESTS FOR ADMISSION:	April 30, 2006

(c) EXPERT WITNESS DISCLOSURE (Rule 26):

- |     |  |                   |
|-----|--|-------------------|
| (1) | DISCLOSURE OF PLAINTIFF'S<br>RULE 26 EXPERT INFORMATION: | February 28, 2006 |
| (2) | DISCLOSURE OF DEFENDANT'S<br>RULE 26 EXPERT INFORMATION: | March 31, 2006    |
| (3) | EXPERT WITNESS DEPOSITIONS:                              | April 30, 2006    |

FINAL DISPOSITIVE MOTIONS:	May 31, 2006
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OTHER RELEVANT MATTERS:

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for a **jury** trial. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge. *It is anticipated the trial will last 4-5 days.*

This case is appropriate for ADR. The parties are directed to engage in court-annexed attorney mediation or private mediation after the close of discovery.

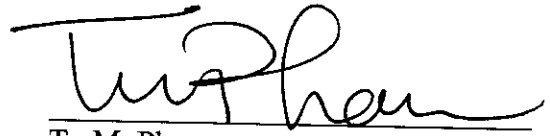
The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed Order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties **have not** consented to trial before the magistrate judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'Tu M. Pham', written over a horizontal line.

Tu M. Pham  
United States Magistrate Judge

Date: July 26, 2005



## Notice of Distribution

This notice confirms a copy of the document docketed as number 16 in case 2:05-CV-02428 was distributed by fax, mail, or direct printing on July 27, 2005 to the parties listed.

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Honorable Samuel Mays  
US DISTRICT COURT